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8 IN THE UNITED STATES DISTRICT COURT

9 FOR THE NORTHERN MARIANA ISLANDS

10 UNITED STATES OF AMERICA, )

CIVIL CASE NO. 99-0024

11 Plaintiff, )

12 vs. )

13 FRANCISCA S. BARCINAS, )

**MOTION FOR ENTRY OF FINAL  
ORDER IN CONTINUING  
GARNISHMENT**

14 Defendant, )

15 \_\_\_\_\_ )  
16 COMMUNITY ALTERNATIVES )

KENTUCKY, INC. )

17 aka RESCARE, INC., )

18 Garnishee. )  
19 \_\_\_\_\_ )

20 Plaintiff, United States of America, respectfully requests the Court to enter the Final  
21 Order in Continuing Garnishment in this matter pursuant to 28 U.S.C. § 3205. In support of this  
22 motion, the United States respectfully states to the Court the following:

23 1. An Application for Writ of Continuing Garnishment was filed by the United  
24 States of America, and a Writ of Continuing Garnishment directed to Garnishee was duly issued  
25 and served upon the Garnishee.

26 2. Pursuant to the Writ of Continuing Garnishment, the Garnishee filed an Answer  
27 stating that at the time of the service of the Writ it had in its possession or under its control  
28 personal property belonging to and due defendant, in the form of earnings.

1           3.       The defendant was served with a copy of the Writ of Continuing Garnishment and  
2 notified of her right to a hearing. The defendant has not requested a hearing to determine exempt  
3 property.

4           4.       28 U.S.C. § 3205(c)(7) states:

5                   After the garnishee files an answer and if no hearing is requested  
6                   within the required time period, the Court shall promptly enter an  
7                   order directing the garnishee as to the disposition of the judgment  
8                   debtor's non-exempt interest in such property.

9           5.       As set forth in the Writ of Continuing Garnishment, the amount of the debt due  
10 totals \$3,689.96, as of July 13, 2007.

11           WHEREFORE, all conditions to the issuance of a Final Order in Continuing  
12 Garnishment against the non-exempt earnings of the defendant are fully satisfied. The United  
13 States respectfully requests that a Final Order in Continuing Garnishment be issued.

14           DATED this 18<sup>th</sup> day of October, 2007.

15                                   LEONARDO M. RAPADAS  
16                                   United States Attorney  
17                                   Districts of Guam and the NMI

18                                   By: /s/ Marivic P. David  
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